

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 26-35 and 40 are now pending in this application, claims 36-39 having been cancelled by the present amendment.

Claims Rejection - 35 U.S.C. §102

Claims 26-32, 34, 36-37 and 38-40 are rejected under 35 U.S.C. §102(b) as being anticipated by **Thibadeau** (USP 5,565,909, previously cited). For the reasons set forth in detail below, this rejection, to the extent it is considered to apply to the currently amended claims, is respectfully traversed.

Claim 26 has been amended to recite “means for supplying the selected advertising information to the output means in response to reception of a timing signal, said timing signal being a beacon signal.” Support for this feature is provided, e.g., in paragraph [0014] of the specification.

It is submitted that **Thibadeau** does not disclose or suggest the claimed “means for supplying the selected advertising information to the output means in response to reception of a timing signal, said timing signal being a beacon signal.”

Accordingly, it is submitted that independent claim 26, and claims 27-32, 34 and 40 which depend therefrom, patentably distinguish over the **Thibadeau** reference. Reconsideration and withdrawal of the rejection under §102 are respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claim 33 is rejected under 35 U.S.C. §103(a) as being unpatentable over **Thibadeau** in view of **Reams** (USP 5,907,793). Claim 35 is rejected under 35 U.S.C. §103(a) as being unpatentable over **Thibadeau** in view of **Banker** (USP 5,317,391). Claim 38 is rejected under 35 U.S.C. §103(a) as being unpatentable over **Thibadeau** in view of **Zigmond** (USP 6,698,020, previously cited).

With respect to the rejection of claims 33 and 35, it is submitted that neither **Reams** nor **Banker** alleviate the above-noted deficiencies of **Thibadeau**. Accordingly, each of claims 33 and 35 patentably distinguish over the combinations of cited prior art for the same reasons discussed above with respect to claim 1.

With respect to the rejection of claim 38, claim 38 has been cancelled by the present Amendment. Therefore, the rejection of claim 38 is no longer at issue.

CONCLUSION

In view of the foregoing, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

Application No.: 09/988,336
Art Unit: 2623

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042206

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" and last name "Schertler" being clearly legible.

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